

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
ANDRES CASTRO, a/k/a “Andres Castro Rosa,”	:	VIOLATIONS:
JUAN AMIR RIVERA, a/k/a “Edwin Francisco Castro Caceres,”	:	21 U.S.C. § 846 (conspiracy to distribute one kilogram or more of heroin – 1 count)
ELIAS ADAMES	:	21 U.S.C. § 841(a)(1) (possession with intent to distribute one kilogram or more of heroin - 1 count)
	:	8 U.S.C. § 1326(a) (reentry after deportation)
	:	18 U.S.C. § 2 (aiding and abetting) Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From on or about October 28, 2010, to on or about November 17, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

ANDRES CASTRO,
a/k/a “Andres Castro Rosa,”
JUAN AMIR RIVERA,
a/k/a “Edwin Francisco Castro Caceres,” and
ELIAS ADAMES

conspired and agreed together, to knowingly and intentionally distribute one kilogram or more, that is approximately seven kilograms, of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

2. Defendants ANDRES CASTRO, JUAN AMIR RIVERA, and ELIAS ADAMES used a “stash house” at 6060 Crescentville Road, Apartment WB-5, in Philadelphia, to store their heroin.

3. Defendants ANDRES CASTRO, JUAN AMIR RIVERA, and ELIAS ADAMES used a gold Oldsmobile minivan, equipped with a secret compartment, to store their heroin.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants ANDRES CASTRO, JUAN AMIR RIVERA, and ELIAS ADAMES, committed the following overt acts, among others, in Philadelphia, in the Eastern District of Pennsylvania:

On or about November 17, 2010:

1. At approximately 9:25 a.m., defendant JUAN AMIR RIVERA drove the silver Chevy Impala to the stash house located at 6060 Crescentville Road, Apartment WB-5, in Philadelphia.

2. At approximately 11:10 a.m., defendant ELIAS ADAMES went to the stash house and was let in by defendant JUAN AMIR RIVERA.

3. At approximately 1:00 p.m. defendants JUAN AMIR RIVERA and ELIAS ADAMES exited the stash house and drove away from the area in the silver Chevy Impala.

4. At approximately 1:30 p.m., defendant ANDRES CASTRO attempted to hide from the police heroin stashed in the apartment by flushing the heroin down the toilet.

5. On or about November 17, 2010, defendants ANDRES CASTRO, JUAN AMIR RIVERA, and ELIAS ADAMES possessed approximately five and one-half kilograms of heroin in the stash house and one and one-half kilograms of heroin inside a secret compartment inside the gold Oldsmobile minivan.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 2 through 3 and Overt Acts 1 through 5 of Count One of this indictment are incorporated here.

2. On or about November 17, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ANDRES CASTRO,
a/k/a “Andres Castro Rosa,”
JUAN AMIR RIVERA,
a/k/a “Edwin Francisco Castro Caceres,” and
ELIAS ADAMES**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, one kilogram or more, that is, approximately seven kilograms, of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 17, 2010, in the Eastern District of Pennsylvania,
defendant

**ANDRES CASTRO,
a/k/a “Andres Castro Rosa,”**

an alien and native and citizen of the Dominican Republic, who had previously been deported and removed from the United States on or about November 7, 1997, June 16, 1998, June 19, 2000, November 30, 2005, and September 12, 2008, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the Attorney General of the United States or his successor, the Secretary for Homeland Security (Title 6, United States Code, Sections 202(3), (4) and 557), for permission to reapply for admission, and without receiving in response the express consent of the Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Sections 1326(a).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 17, 2010, in the Eastern District of Pennsylvania,
defendant

**JUAN AMIR RIVERA,
a/k/a “Edwin Francisco Castro Caceres,”**

an alien and native and citizen of the Dominican Republic, who had previously been deported and removed from the United States on or about September 11, 2004, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the Attorney General of the United States or his successor, the Secretary for Homeland Security (Title 6, United States Code, Sections 202(3), (4) and 557), for permission to reapply for admission, and without receiving in response the express consent of the Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Sections 1326(a).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1) and 846, set forth in this indictment, defendants

**ANDRES CASTRO,
a/k/a “Andres Castro Rosa,”
JUAN AMIR RIVERA,
a/k/a “Edwin Francisco Castro Caceres,” and
ELIAS ADAMES**

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses, including, but not limited to: an Oldsmobile Minivan, VIN 1GHDX03E9WD175315;

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to, the sum of \$5,107.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

GRAND JURY FOREPERSON

ZANE DAVID MEMEGER
United States Attorney